

liam H. Hall, Junior, William H. Hall, Thomas I. Hall and Robert H. McPherson, before the 15th of October next.

The same petitioners afterwards filed another petition, in which they stated, that the purchaser John Collinson had, to secure the payment of the purchase money, given his bond with James Tongue and Gideon G. Tongue as his sureties; and that the purchase money had not been paid since it became due. Upon which they prayed that payment might be ordered, &c.

BLAND, C., 2d October, 1828.—Ordered, that John Collinson, James Tongue, and Gideon B. Tongue, bring into this Court the sum of \$8,575.87, with interest from the 13th of May, 1827, being the balance of the purchase money now due, or shew good cause to the contrary, on or before the first of November next; Provided, that a copy of this petition and order be served on the said John, James, and Gideon, before the 15th day of the present month.

To this petition John, James, and Gideon answered, shewing for cause, that the estate of the late Thomas Tongue was largely indebted to John Collinson, in satisfaction of which he claimed at least a dividend of the proceeds of sale, and was willing and ready to bring in the balance; to ascertain which they prayed, that the auditor might be directed to state an account. And the solicitor for the petitioners agreed, that an account should be first stated as prayed.

BLAND, C., 8th November, 1828.—The petition of William Simmons and others against William H. Hall, Junior, and others, having been submitted; and it appearing that copies * had
348 been served as required; and they having failed to bring in the several sums of money therein mentioned, or to shew cause to the contrary, the proceedings were read and considered.

Whereupon it is decreed, that Robert Garner, the trustee appointed by the original decree, proceed to make sale of the house and lot in the village of Tracy's Landing, heretofore sold by him to Robert H. McPherson, for the payment of the purchase money due thereon; and that the said sale be at the risk of the said Robert H. McPherson. And it is further decreed, that the said trustee proceed to make sale of the parcel of land heretofore sold by him to William H. Hall, Junior, for the payment of the balance of the purchase money due thereon; and that the said sale be at the risk of the said William H. Hall, Junior. And it is further decreed, that the sales made under this order, be for cash, payable on the day of sale, or on the ratification thereof. In all other respects the said trustee is directed to conform to the original decree, according to which he hath given bond for the faithful